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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/989,450	11/21/2001	Takehiro Ichikawa	00760070AA	1412

7590 07/08/2004

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EXAMINER

TRAN, HENRY N

ART UNIT	PAPER NUMBER
2674	

DATE MAILED: 07/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/989,450

Applicant(s)

ICHIKAWA, TAKEHIRO

Examiner

HENRY N TRAN

Art Unit

2674

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 09 June 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☒ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☒ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: None.

Claim(s) objected to: None.

Claim(s) rejected: 1-22.

Claim(s) withdrawn from consideration: None.

8. ☒ The drawing correction filed on 22 October 2003 is a) ☒ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

Henry N. Tran

Henry N. Tran
Primary Examiner
Art Unit 2674

6/28/04

Continuation of 2. NOTE: the amended claim terms in lines 8-10 of claim 1 raise new issues.

Continuation of 5i does NOT place the application in condition for allowance because: of the rejections recited in the Final Office action. The Croy et al invention teach each and every claimed limitations, which include: sequentially executing an operational procedure, editing capabilities, assigning a functional name, using a softkey, etc..., see pages 2-3. In response to applicant's arguments that the Croy et al reference fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., to create a new menu item as a combination of existing menu items, to store and display each function in sequence and then to permit selection, to show a multi-line display, to review and edit a displayed operational procedure, or the content of the operational procedure is selected by the user from the displayed key-input information) are not recited in the rejected claims. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims, see *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Further also, the languages of the claimed invention do not specifically define that a series of displayed key-input information is selected as an operational procedure, which is stored in a non-volatile memory section, as argued in pages 10-15 of the above-identified Amendment. The examiner has considered the two examples that illustrate the scope of the claim 1. However, the languages of the claim 1 do not particularly described the illustrated steps or features; and the claimed limitations are given their broadest reasonable interpretation. Therefore, claims 1-22 stand rejected as specifically recited in the Final Office action.